

Notice of Allowability

Application No.

10/766,174

Examiner

Christopher M. Brandt

Applicant(s)

OLSON ET AL.

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's amendment filed on May 21, 2007.
2. ☒ The allowed claim(s) is/are 1-3,5-9 and 11-38.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Reasons for Allowance

Claims 1-3, 5-9, 11-38 are allowed.

The prior art of record fails to teach a method that includes carrying out one or both of power control and frequency selection to configure one or more configuration parameters of the managed access point and maintaining an AP database that includes these configuration parameters. In addition, the prior art of record fails to disclose detection information that includes at least a further item of information wherein the information on the received beacon or probe response includes one or more configuration parameters.

Barber et al. (hereinafter Barber) and Whealen et al. (hereinafter Whealen) disclose a method comprising: a central management entity managing managed access points (APs) of a wireless network (Barber; paragraph 23, read as a command and control center (CCC) is generally associated with the wireless network, wherein the CCC manages and controls the access points associated with the wireless network), maintaining an AP database that includes information about managed APs and friendly APs of the wireless network, including for each managed AP in the AP database, the service set identifier of the managed AP (Barber; paragraphs 55, 71, 75, read as radio management can include a determination of the access point (AP) communicating with a device having a particular MAC address. The CCC can determine a great deal about the nature of the wireless network's space. The CCC can also analyze the radio ad MAC stats), sending a scan request to one or more managed APs of the wireless network, the scan request including a request for the receiving managed AP to scan for beacon and probe responses (Barber; page 76, read as the CCC sends a request for a scan over multiple channels, multiple frequency bands, or combination thereof, to the access point for listening and gathering

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radio stats), receiving reports from at least one of the receiving managed APs about beacons or probe responses from any potential rogue AP, including, for each potential rogue AP from which a beacon or probe response was received, detection information, and information on the beacon or probe response received sent by the potential rogue AP (Barber; paragraphs 75-77, read as the access point can send radio stats to the CCC along with the MAC stats and can analyze the stats and perform other tasks. One interesting result of a survey is that the CCC can detect “rogue” access points), wherein the detection information includes the service set identifier of the potential rogue AP, and wherein the information on the received beacon or probe response includes at least the service set identifier in the beacon or probe response (Barber; paragraphs 75-77); and for each beacon or probe response from a potential rogue AP on which information is received, ascertaining if the potential rogue AP is a managed AP, including: ascertaining if there is a match for the service set identifier of the potential rogue AP in the AP database (Whelan; paragraphs 44-45, read as the collected AP list is compared with the registered AP list to extract those APs in the collected AP lists which are not registered in the registered AP list where an SSID is an ID number identifying equipment with which the client is to communicate are added to the AP list in the AP list storage section)

Therefore, **claims 1-3, 5-9, 11-38** are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher M. Brandt whose telephone number is (571) 270-1098. The examiner can normally be reached on 7:30a.m. to 5p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nick Corsaro can be reached on (571) 272-7876. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

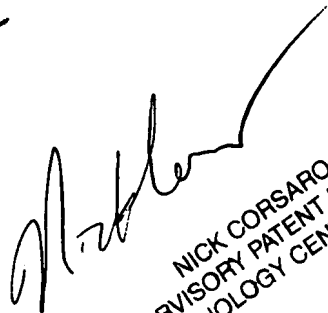
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Christopher M. Brandt

C.M.B./cmb

June 10, 2007



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